

August 10, 2020
(VIA ZOOM)

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:02 pm. Present via Zoom were Mr. Dickson, Deputy Mayor Flynn, Mr. Schlaffer, Mrs. Le Frois, Mayor Diglio, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney and Monica Miebach, CFO, were also present.

Mayor Diglio read the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on April 24, 2020."

Mayor Diglio led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mrs. Le Frois, seconded by Mr. Schlaffer and carried, the minutes for the July 13, 2020 Special meeting, July 13, 2020 Regular meeting, and July 27, 2020 Special meeting were unanimously approved. Deputy Mayor Flynn abstained from approval of minutes. Mr. Schlaffer abstained from July 27, 2020 Special meeting minutes.

OPEN TO THE PUBLIC

At this time, Mayor Diglio read the following statement:

"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 3 minutes. The Clerk will keep time. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes. Council may choose to comment after the entire public portion has concluded."

Diana Peragino, addressed Ordinance #2020-19 and Ordinance #2020-20 regarding front yard parking and questioned what the repercussions are if violated.

Caroline Silva, 24 Carriage Lane, Newton, agreed with the proposed Ordinances #2020-19 & #2020-20, regarding front yard parking.

Arlene Gray, 22 Carriage Lane, Newton, also agreed with the proposed Ordinances which eliminates front yard parking and hopes cars stop parking on their lawn.

Denise DeFlorio, 30 Carriage Lane, also agreed with the proposed Ordinances regarding front yard parking. She feels it's an embarrassment to the neighborhood and needs to stop.

There being no one else from the public to be heard, Mayor Diglio closed this portion of the meeting to the public.

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COUNCIL & MANAGER REPORTS

Mayor Diglio – “Good evening. Here are the facts. As of August 7th, the last report I received from the County, there are 1366 cases of COVID and 197 deaths in Sussex County. The number of people who have recovered is now 1161. As I stated at previous meetings, individuals maybe experiencing feelings of helplessness and depression due to the COVID limitations. If you know of anyone, please give them the Hotline # 973 579 9488.

Have you filled out your census yet. If not you can expect a visit from a Census representative knocking at your door. As I have stated at previous meetings, counting everyone in the 2020 census helps communities receive funding for health care, education, and emergency services. State and local officials also use census counts to draw boundaries for congressional, state legislative and school districts

On the local level, the municipal building is open to the public from 9:30 am to 3:30 pm. For the safety of the staff and public several accommodations have been made and masks are required.

As you may have read, the Newton Town Pool will be opening tomorrow. Starting Friday, the pool will be open to Newton residents only for the first week. After the first week, the pool will be open to all. There will be 3 sessions. The first session will be for seniors from 9 to 11. The second session is from 1 to 3pm and the third session is from 4 to 7pm. You must sign up and reserve your space prior to coming to the pool as we are limited by COVID rules as to how many are allowed in the pool area. Newton residents are free and based on discussions, will be free next year as well. So come on down and enjoy.

This past Saturday the Town hosted a live concert by Mushmouth. After the great concert, there was a beautiful fireworks display. Many thanks to Kimberly Williams, the Police, DPW workers, Town Manager and the Council. It was nice to have a little normalcy. I do have a favor to ask. 500 tickets were reserved, but only about 175 people came. If you reserve tickets and cannot attend, please return the tickets before the event so someone else can take advantage. Kimberly received many calls on Friday from individuals who wanted to attend and had to turn them away due to the 500 COVID limit on outdoor events.

As always, I encourage you to support the local businesses.”

Deputy Mayor Flynn – Thanked those who spoke regarding the proposed front yard parking Ordinances. He feels it brings validity to the Council’s decision to approve same. Deputy Mayor Flynn also thanked all those involved with completing the renovations of the pool and getting the pool open. He also thanked Mayor Diglio and Councilman Dickson for attending the many meetings at the pool during the renovations.

Councilman Dickson – “On July 20th I attended the CLEAR 4th anniversary meeting via zoom. It’s amazing to see in that amount of time how much impact the program has had county wide. It has grown and allowed for many additional services to be provided. Congratulations to Retired Chief Richards and Becky Carlson and everyone else involved in making CLEAR what it is today and the vital role it plays in helping our county combat addiction.

On July 28th, I attended the virtual BOE meeting. Dr. Greene presented the district restart and recovery plan prior to its approval by the board. The plan laid out the daily hybrid model that the district decided on after receiving survey feedback. Students grades K thru 8 will go to school daily for either an AM session or a PM session. The other 50% of learning will be done remotely. Parents do have the option of 100% remote or 100% in school, with the student attending their respective AM or PM class and learning remotely the other half of the day at a socially distanced location like the gym. Grades 9-12 will have a 30% in school, 70% remotely. Parents will have the same options for 100% in school or remote. Some other highlights of the plan are daily temperature

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checks and health screening prior to entering the building, facemask will be mandatory, rooms will be spaced out to adhere to social distancing with desks all facing forward, installation of physical barriers such as plastic guards and partitions, install physical guides such as tape or decals on sidewalks and hallways and signs on walls. The full plan and Dr. Greene's PowerPoint presentation can be found on the district website. School level plans providing additional details along with videos of the school facilities are expected to be released on Friday, August 14. The Board accepted the resignation of business administrator Alfred Savio effective August 21st. The board approved former district business administrator Donna Snyder-Devita as the Interim business administrator until a permanent replacement is found. The preschool modular project is currently stopped and more to follow on that when the situation becomes more clear. The next BOE meeting is on August 25th both in person and virtually. The mascot discussion will not occur at this meeting, as the board felt it important that that meeting be more focused on the return to school. I will let you know when a date is set for that discussion.

Thank you to the DPW, Police, Fire and EMS for all your hard work during the recent tropical storm.

Comments on Resolutions for Small Cities Grant. I think this is fantastic that we are applying for another grant that will go towards sidewalks along 206/Water St. I know I raised concerns before about the pedestrian traffic in this area and I believe it is important for the town to be connected and have it be walkable while being safe for pedestrians, cyclists and drivers. The town has shown great attention to this issue and continues to. Whether it be part in street smart campaigns, the construction of the rail trail, the upcoming Mill St. project and now the potential project for 206/Water St. The town continues to want to create a pedestrian friendly, safe and connected community, and these projects have been able to occur with very little tax dollars thanks to various grants. So thank you to Tom, the professional staff, and everyone else involved in making these realities."

Councilman Schlaffer – Addressing the concert no-shows, inquired whether the Town can increase the number of reserved tickets, knowing not everyone will show up. And continue to limit the number to 500 people at each event.

Councilwoman Le Frois – Was also pleased with the recent concert. She reminded citizens of the next movie night on August 21st at Memory Park. She noted the excitement of the Newton pool opening this week. Mrs. Le Frois noted the upcoming dedication of "Heros Way" street signs to be placed in front of the Newton Medical Center. She and her husband attended the "Wine & Roses" event (via virtually) as their annual fundraiser. She also thanked OEM, Police, DPW, Fire, and First Aid Squad for their hard work during and after the recent tropical storm.

Mrs. Oswin, Deputy Town Manager also provided a report:

Mrs. Oswin updated on the Newton pool. "Pool Update"

1. Sherri has been working hard to finalize everything.
2. DPW staff has painted; power washed, installed privacy fencing, setup tables and chairs, cut the grass, and weeded. You name it they have done it. Things are looking really nice.
3. A "Staff" pool opening will be tomorrow, it will give the pool staff a dry run. The Municipal Building will close at 1:30pm. Each employee and Council member is asked to register through the newtontownhall.com/signup link. This helps with our COVID compliance.
4. The ribbon cutting is tomorrow at 2pm. The weather is supposed to be very cooperative.
5. Friday, August 14th the pool opens to Newton residents. It is free but they still have to register through the online link. That will go live in the next couple of days.
6. Saturday, August 22nd the pool is open to non-residents. The fee is \$5 per session. \$3 for Seniors and kids. There link will go live next Friday.

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7. Unfortunately, some of the Life Guards and Recreation Assistants are heading off to college, so we are advertising for more help.

Town Manager Russo – Mr. Russo also thanked Sherri Kaylani, Recreation Director, and her team, for all their hard work getting the pool up and running. Mr. Russo addressed the comments of the public regarding the two Ordinances on the agenda this evening. He also thanked them and invited them again to the next meeting when the two Ordinances will be on for adoption. He thanked all of the emergency personnel for their due diligence during the recent tropical storm. He acknowledged the upcoming dedication of the Heros Way signs to be placed in front the Medical Center. It is to honor the hard work of all the healthcare workers during this pandemic. He noted all meetings will continue to be via Zoom for the month of September. And finally, he noted his 13th year as Town Manager will be served as of next week and wanted to take the opportunity to thank the current Council members and previous Council's for his tenure. He appreciates and thanked all the hard work of the staff. Thank you.

OLD BUSINESS – None.

ORDINANCES –

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2020-15

ORDINANCE APPROPRIATING \$43,900 FROM THE WATER SEWER CAPITAL OUTLAY ACCOUNT IN ORDER TO PROVIDE FOR THE MORRIS LAKE WATER UTILITY FIRE ALARM REPLACEMENT AND UPGRADE IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS:

Section 1. \$43,900 from the Water Sewer Capital Outlay Account is hereby appropriated to provide for the Morris Lake Water Utility fire alarm replacement and upgrade in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town").

Section 2. The Town hereby certifies it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Mayor Diglio opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mrs. Le Frois seconded by Mr. Dickson and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Mr. Schlaffer who moved its adoption, seconded by Mr. Dickson and roll call resulted as follows:

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Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2020-16

ORDINANCE TRANSFERRING THE REMAINING \$171,722.02 FUNDS FROM THE GRIT COLLECTOR RESERVE NO LONGER NEEDED FOR THAT PURPOSE TO THE WATER SEWER CAPITAL FUND BALANCE AND APPROPRIATING \$110,000 FROM THE WATER SEWER CAPITAL FUND BALANCE TO PROVIDE FOR MAJOR REPAIRS AT THE WASTEWATER TREATMENT PLANT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS

Section 1. \$171,722.02 of funds remaining in the Grit Collector Reserve are no longer needed for the purpose for which the funds previously were authorized and are hereby transferred to the Water Sewer Capital Fund Balance.

Section 2. \$110,000 is hereby appropriated from the Water Sewer Capital Fund Balance to provide for wastewater treatment plant major repairs or replacement of pumps and other equipment, sand filter improvements and other wastewater treatment plant major repairs, replacements and improvements, including related or incidental work and costs.

Section 3. The Town hereby certifies it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent the purpose authorized herein is inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Mayor Diglio opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mrs. Le Frois seconded by Mr. Schlaffer and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Deputy Mayor Flynn who moved its adoption, seconded by Mrs. Le Frois and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

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This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2020-17

ORDINANCE REAPPROPRIATING \$20,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR MAJOR REPAIRS TO THE TOWN POOL IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$20,000 of the proceeds of obligations originally made available for engineering for improvements at Dams #1, #2, #3 and #4 and major repairs to Dam Site #4 as set forth in Section 3(c) of bond ordinance #2011-5 of the Town of Newton, in the County of Sussex, New Jersey (the "Town") finally adopted April 25, 2011 are no longer necessary for the purpose for which the amount previously was authorized.

Section 2. The \$20,000 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for miscellaneous major repairs to the Town pool.

Section 3. The Town hereby certifies it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent the purpose authorized herein is inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Mayor Diglio opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mr. Schlaffer seconded by Deputy Mayor Flynn and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Mr. Schlaffer who moved its adoption, seconded by Mr. Dickson and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

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Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2020-18

ORDINANCE APPROPRIATING \$20,000 FROM THE WATER SEWER CAPITAL FUND BALANCE IN ORDER TO PROVIDE FOR THE REPLACEMENT OF A SEWER MAIN SECTION ON LOWER SPRING STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS:

Section 1. \$20,000 from the Water Sewer Capital Fund Balance is hereby appropriated to provide for the replacement of a sewer main section on Lower Spring Street in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town")

Section 2. The Town hereby certifies it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Mayor Diglio opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mr. Schlaffer seconded by Deputy Mayor Flynn and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Mr. Schlaffer who moved its adoption, seconded by Mr. Dickson and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2020-19

AN ORDINANCE AMENDING CHAPTER 320-3 AND 320-23 OF THE CODE OF THE TOWN OF NEWTON ENTITLED "DEFINITIONS" AND "PARKING AND DRIVEWAY STANDARDS"

The aforementioned **ORDINANCE** was offered by Mr. Schlaffer, who moved its introduction, seconded by Deputy Mayor Flynn and roll call resulted as follows:

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Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance was introduced for the first reading, with hearing on the same to be held on Wednesday, September 16, 2020.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2020-20

AN ORDINANCE AMENDING CHAPTER 213, ARTICLE II OF THE CODE OF THE TOWN OF NEWTON ENTITLED "PROPERTY MAINTENANCE CODE"

The aforementioned **ORDINANCE** was offered by Mr. Dickson, who moved its introduction, seconded by Mr. Schlaffer and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance was introduced for the first reading, with hearing on the same to be held on Wednesday, September 16, 2020.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2020-21

ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MERRIAM GATEWAY REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.

The aforementioned **ORDINANCE** was offered by Mrs. Le Frois, who moved its introduction, seconded by Deputy Mayor Flynn and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
	Mayor Diglio	Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance was introduced for the first reading, with hearing on the same to be held on Wednesday, September 16, 2020.

CONSENT AGENDA

Mayor Diglio read the following statement:

"All items listed with an asterisk () are considered to be routine and non-*

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controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda."

Mr. Russo reviewed the consent agenda items.

Deputy Mayor Flynn requested Resolution #192-2020 be removed for discussion.

RESOLUTION #181-2020*

AFFIRM THE ISSUANCE OF A \$2,490,000 BOND ANTICIPATION NOTE

WHEREAS, when Bond Ordinances are adopted by the Town Council of the Town of Newton, the Chief Financial Officer is authorized to issue Bond Anticipation Notes (BAN's) to provide temporary financing for the Town; and

WHEREAS, the Town of Newton needed to finance debt authorized by Ordinances #2017-9 adopted May 8, 2017 and #2018-6 adopted March 12, 2018 and #2019-3 adopted May 13, 2019 and #2008-26 adopted November 2, 2008 and #2019-9 adopted October 16, 2019 and #2020-8 and #2020-9 adopted June 22, 2020; and

WHEREAS, the Town received five quotations ranging from .64% to .8528% Net Interest Cost (NIC) as listed on the attached Note Sale Bid Results; and

WHEREAS, the Chief Financial Officer, with advice of Phoenix Advisors, financial advisors and McManimon, Scotland and Baumann, Bond Counsel for the Town of Newton, accepted the quotation from TD Bank,NA for a Bond Anticipation Note totaling \$2,490,000 at an interest rate of .64% which will require a 2021 interest payment of \$15,936.00; and

WHEREAS, the appropriate Town Officials have executed said Note in the amount of \$2,490,000 with an interest rate of .64% (NIC .64%) dated July 22, 2020 and maturing July 22, 2021; and

WHEREAS, to comply with N.J.S.A. 40A:2-28 of the Local Bond Law, which requires the Chief Financial Officer report certain information in writing to the Mayor and Council at the next Town Council meeting, herewith attached is the Certificate of Determination and Award;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it does hereby affirm the issuance of a \$2,490,000.00 Bond Anticipation Note issued July 22, 2020 and maturing July 22, 2021 bearing an interest rate of .64% by the Chief Financial Officer and the execution of said note by the appropriate Town Officials.

RESOLUTION #182-2020*

APPOINTMENT OF ALAN ABRAMSON TO THE ADVISORY RECREATION COMMISSION

WHEREAS, there is currently a vacancy for a Regular Member on the Advisory Recreation Commission; and

WHEREAS, Alan Abramson has expressed interest in serving on the Commission;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the following five-year appointment to fill an unexpired term is made, effective immediately to the Advisory Recreation Commission:

Alan Abramson – expires December 31, 2020

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RESOLUTION #183-2020*

**INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2020 TOWN OF NEWTON BUDGET
PURSUANT TO N.J.S.A. 40A:4-87 (C. 159, PL 1948)**

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue and also approve the insertion of an item of appropriation of equal amount in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, the Town of Newton is the lead agency, (also including Green Township, Andover Township, and Andover Borough) for a grant in the amount of \$4,578.00 from the State of New Jersey Governor's Council on Alcoholism and Drug Abuse through the County of Sussex for Municipal Alliance Grant; and

WHEREAS, the grant period to runs from July 1, 2020 through June 30, 2021; and

WHEREAS, the Town of Newton authorized the submission of the 2021 Action Alliance Grant per Resolution #177-2020 adopted July 27, 2020;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2020 Budget of the Town of Newton:
Miscellaneous Revenues:

Section F: Special Items of Revenue	
Public and Private Revenues Off-set with Appropriations:	
NJ Municipal Alliance Grant	\$4,578.00
General Appropriations:	
(A) Operations - Excluded from CAPS	
Public and Private Programs Off-Set by Revenues:	
NJ Municipal Alliance Grant	\$4,578.00
Local Match – Source:	
Match Funds-Muni. Alliance: Andover Twp. & Boro., Green, Newton.....	\$1,145.00

BE IT FURTHER RESOLVED that an electronic version of this Resolution be forwarded to the Director of the Division of Local Government Services.

RESOLUTION #184-2020*

**CONCUR WITH THE RECOMMENDATION OF THE UTILITY ADVISORY BOARD IN CHARGING
MINIMUM WATER AND SEWER CONNECTION FEES FOR GAS-N-GO AT WEIS MARKETS,
LOCATED AT 119 WATER STREET**

WHEREAS, at a regular meeting of the Newton Utility Advisory Board conducted on July 21, 2020 via teleconference, Mr. Alex Ororbia, requested minimum water and sewer connections fees for the kiosk associated with the Gas-N-Go at Weis Markets, 119 Water Street; and

WHEREAS, the minimum connection fees amount to \$10,370.00, which have been previously submitted by the Gas-N-Go at Weis Markets; and

WHEREAS, the Utility Advisory Board has no objection to and recommends the Town Council approve Mr. Ororbia's request on behalf of the Gas-N-Go at Weis Markets;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that this Governing Body hereby concurs with the recommendation of the Utility Advisory Board and approves the fees set forth above.

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RESOLUTION #185-2020*

AUTHORIZE CREDIT DUE WATER AND SEWER UTILITY ACCOUNT

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Account is due a credit for the reason stated;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following account for amount billed incorrectly due to the reason(s) stated:

CREDIT FOR AN ACCOUNT THAT WAS READ INCORRECTLY:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
2128	98 Trinity Street	\$350.01

RESOLUTION #186-2020*

AUTHORIZE RENEWING MEMBERSHIP IN THE STATEWIDE INSURANCE FUND FOR CALENDAR YEARS 2021, 2022, AND 2023

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, et seq.; and

WHEREAS, the Town of Newton ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined membership in the FUND is in the best interest of the LOCAL UNIT; and

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2021** terminating on **January 1, 2024** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution;

NOW, THEREFORE, BE IT RESOLVED, that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the LOCAL UNIT shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

	<u>YES</u>	<u>NO</u>
▪ Workers' Compensation & Employer's Liability	X	
▪ Comprehensive General Liability	X	
▪ Automobile Liability and Physical Damage	X	
▪ Public Officials and Employment Practices Liability	X	
▪ Property	X	
▪ Inland Marine Boiler Machinery	X	
▪ Crime-Faithful Performance and Fidelity	X	
▪ Pollution Liability	X	
▪ Cyber Liability	X	

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- Non Owned Aircraft

x

BE IT FURTHER RESOLVED that Thomas S. Russo, Jr. is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and Jennifer A. Dodd is hereby appointed as the LOCAL UNIT'S Alternate Fund Commissioner; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Member name: TOWN OF NEWTON

By: _____

Title: Town Manager

ATTEST:

Lorraine A. Read, RMC, Municipal Clerk

Dated: _____

This Resolution agreed to the 10th day of August, 2020, by a vote of:

 Affirmative Abstain Negative Absent

RESOLUTION #187-2020*

APPROVAL TO SUBMIT APPLICATION FOR SMALL CITIES GRANT FOR A PUBLIC FACILITIES FUND PROJECT TO CONSTRUCT A SIDEWALK ALONG US ROUTE 206 / WATER STREET TO BENEFIT TOWN RESIDENTS OF LOW AND MODERATE INCOMES

WHEREAS, the Town Council of the Town Newton (Council) has been notified of the State Fiscal Year 2021 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$4,526,639 of funding toward a Public Facilities Fund category and the Town of Newton's desire to apply for \$400,000 in funding to construct a sidewalk along Route 206 / Water Street to benefit residents with low and moderate incomes in Newton Town; and

WHEREAS, the Council has successfully applied for Small Cities CDBG funding in the past; and

WHEREAS, the Council desires to apply for a grant for \$400,000; and

WHEREAS, the Council recognizes and accepts the Small Cities Program may offer a lesser amount of grant funding and therefore, upon receipt of the Grant Agreement from the State Department of Community Affairs, and any amendments thereto, does further authorize the execution of any such Grant Agreement; and also, upon receipt of the fully executed Agreement from the Small Cities Program, does further authorize the expenditure of funds pursuant to the terms of the Agreement; and

WHEREAS, in order to make application and undertake all other required elements of submission, a Resolution must be adopted by the Council authorizing the

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application and any amendments thereto and the authority to construct the sidewalk as previously described and all other aspects of the grant administration; and

WHEREAS, the construction of sidewalk along US Route 206 / Water Street will benefit low and moderate income persons in Census Block Group 1, Census Tract 3737, Newton Town, which is comprised of 62% low and moderate income persons, and Census Block Group 2, Census Tract 3737, which is comprised of 50% low and moderate income persons, all of whom will benefit from sidewalk construction linking those communities with goods and services further north on Route 206, and therefore this project is deemed in the best interest of the Town and the low and moderate income residents of this area;

NOW, THEREFORE BE IT RESOLVED, that the Mayor, Town Manager, and Town Clerk are authorized to sign all required elements of the proposed application to construct a sidewalk along US Route 206 / Water Street and apply for a grant in the amount \$400,000 to execute the same; and

BE IT FURTHER RESOLVED, that the attached application is submitted to the New Jersey Department of Community Affairs' Small Cities Program in accordance with the regulations promulgated by the US Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED that copies of this Resolution and the attached application shall be provided to the Town of Newton, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; and Bruce Benton, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Town of Newton Manager's Office.

RESOLUTION #188-2020*

APPROVAL OF GRANT MANAGEMENT PLAN FOR SMALL CITIES GRANT FOR A PUBLIC FACILITIES FUND PROJECT TO CONSTRUCT SIDEWALKS ON US ROUTE 206 / WATER STREET TO PROVIDE PEDESTRIAN FACILITIES FOR LOW AND MODERATE INCOME RESIDENTS OF THE TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY

WHEREAS, the Town Council of the Town of Newton (Council) has been notified of the State Fiscal Year 2021 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$4,526,639 of funding toward a Public Facilities Fund category and the Town of Newton's desire to apply for \$400,000 in funding to construct a sidewalk along US Route 206 / Water Street to benefit residents of low and moderate incomes; and

WHEREAS, the Council has successfully applied for Small Cities CDBG funding in the past; and

WHEREAS, the Council desires to apply for a grant for \$400,000; and

WHEREAS, the Council recognizes that a Grant Management Plan must be adopted in order to properly identify the responsible parties for overseeing and implementing the grant; and

WHEREAS, the Council has reviewed the Grant Management Plan submitted for the US Route 206 / Water Street Sidewalk Construction Project;

NOW, THEREFORE BE IT RESOLVED, that the Town of Newton Mayor and Council approve of the above-referenced Grant Management Plan; and

BE IT FURTHER RESOLVED, that copies of this Resolution and the attached application shall be provided to the Town of Newton, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; Terence Schridder, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department

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of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Sussex County Division of Planning.

RESOLUTION #189-2020*

RESOLUTION RE: SMALL CITIES CITIZEN PARTICIPATION PLAN

WHEREAS, the Town of Newton is applying for a grant with the New Jersey Department of Community Affairs; and

WHEREAS, that Grant Agreement requires the Town of Newton to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Town of Newton has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton, Sussex County, State of New Jersey, that the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Newton; and

BE IT FURTHER RESOLVED that the Town of Newton will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be provided to New Jersey Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ 08625-0811.

RESOLUTION #190-2020*

RESOLUTION RE: FAIR HOUSING STATEMENT OF ACTIONS

WHEREAS, the Town of Newton has made an application for a Public Facilities Small Cities Grant to the New Jersey Department of Community Affairs (hereafter NJDCA) for the construction of sidewalks along US Route 206 / Water Street to provide pedestrian facilities for low and moderate income individuals within the Town; and

WHEREAS, the Town of Newton must make efforts to affirmatively further fair housing; and

WHEREAS, the Town of Newton has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD); and

WHEREAS, the Town of Newton has made assurances that:

(1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and

(2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and

(3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and

(4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973;

NOW, THEREFORE BE IT RESOLVED, that, Thomas S. Russo, Jr., Town Manager, shall be designated as the Fair Housing Officer for the Town of Newton; and

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BE IT FURTHER RESOLVED, that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Newton; and

BE IT FURTHER RESOLVED that the Town of Newton will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

RESOLUTION #191-2020*

RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES

BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Distribution Licenses be renewed for the licensing year 2020-2021, effective July 1, 2020:

No. 1915-44-010-003 be issued to Bia Krishna, Inc., t/a Seplow's Liquors, 5 Woodside Avenue, Newton, New Jersey; and

No. 1915-44-004-012 be issued to HV Patel Corporation, t/a Spring Liquors, 110 Spring Street, Newton, New Jersey.

RESOLUTION #193-2020*

APPROVE BILLS AND VOUCHERS FOR PAYMENT

BE IT RESOLVED by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2019 and 2020 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

TOWN BILLS

2100	3861 - A ROYAL FLUSH, INC.	B: Porta John Rentals Jan - Dec 2020	390.47	390.47
2101	3577 - AAA	2020 MEMBERSHIP RENEWAL T RUSSO	148.00	148.00
2102	2141 - AIRMATIC COMPRESSOR SYSTEMS,	Compressor Repair WTP	1,648.29	1,648.29
2103	4330 - ANGELO & MARY DEPALMA	EASEMENT 18 HILLSIDE AVE	2,400.00	2,400.00
2104	4026 - AUTOZONE	B: FIRE AUTO SUPP'S #1110816010570	54.97	54.97
2105	3251 - BADGER METER, INC.	Serv Agreement Beacon Mobile Hosting/	161.28	161.28
2106	4313 - BARRY CONSTRUCTION CO INC.	REFUND ESCROW BAL	500.00	500.00
2107	1132 - BOONTON TIRE SUPPLY INC.	B: PD VEHICLE REPAIR	2,691.22	2,691.22
2108	4314 - BRANCH ASSOCIATES	REFUND ESCROW BAL	1,504.50	1,504.50
2109	2794 - C&V Paving Contractors, In	REFUND ESCROW BAL	1,156.25	1,156.25
2110	192 - CAMPBELL'S SMALL ENGINE INC.	Chainsaw/Chain Loop	216.63	216.63
2111	163 - CENTURYLINK COMMUNICATIONS,	B: ALARM CIRCUITS	125.85	125.85
2112	2843 - CHELBUS CLEANING CO., INC.	CLEANING TOWN BLDG'S (JULY-DEC)	2,899.00	
		POOL BATHROOMS CLEANING 7/28	150.00	3,049.00
2113	3770 - CINTAS CORPORATION NO. 2	DPW/WS: Water Filtration/Cooler/Cleaning	45.00	
		DPW/WS: Water Filtration/Cooler/Cleaning	45.00	
		DPW/WS: Water Filtration/Cooler/Cleaning	225.00	
		DPW/WS: Water Filtration/Cooler/Cleaning	225.00	
		B: FIRST AID SUPPLIES	173.10	713.10
2114	3770 - CINTAS CORPORATION NO. 2	B: FIRST AID SUPPLIES	326.93	
		First Aid Supplies, hand sanitizer gallon	1,707.87	2,034.80
2115	4177 - CLIFFHANGER PRODUCTIONS, INC.	CONCERT 7/24/2020 - NERDS	5,800.00	5,800.00
2116	3609 - CLIFFSIDE BODY CORP.	Chevy 3500 Truck Body replmt	4,225.00	4,225.00
2117	4138 - CONSTELLATION NEWENERGY -	B: NATURAL GAS SUPPLIER	132.35	
		B: NATURAL GAS SUPPLIER	156.22	288.57

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2118	1632 - COOPER ELECTRIC SUPPLY CO.	TH LIGHTS ACCT #25723	79.20	79.20
2119	176 - COUNTY OF SUSSEX	3rd QTR CNTY PURPOSE TAX	971,833.67	971,833.67
2120	178 - COUNTY OF SUSSEX	3RD QTR LIBRARY TAX	72,413.33	72,413.33
2121	1425 - COUNTY OF SUSSEX	3RD QTR OPEN SPACE TAX	3,916.24	3,916.24
2122	155 - COYNE CHEMICAL CORP., INC.	PO 56404 B: CP-837 ZINC	1,085.00	
		B: SODIUM BISULFITE	426.05	
		B: CITRIC ACID	523.20	2,034.25
2123	2361 - CSS LLC.	B: PRE-EMPLOYMENT/POST ACCIDENT DRUG	144.00	144.00
2124	286 - CURRENT ACCOUNT	CANCEL BAL POLICE ESCROW ACCT	1,040.49	1,040.49
2125	4316 - DAN YOUNGS	REFUND ECROW BAL	94.50	94.50
2126	512 - DIAMOND SAND & GRAVEL, INC	Townhall Apron	794.00	794.00
2127	106 - ELIZABETHTOWN GAS	B: NATURAL GAS DELIVERY (JAN-APR)	2,293.14	2,293.14
2128	3817 - ESI EQUIPMENT INC.	JAWS OF LIFE ANNUAL MAINT (9/1/20-8/31/2	1,114.00	1,114.00
2129	3124 - EXTRA TECH DATA SERVICES, LLC.	B: IT SERRVICES -1st qtr	1,105.00	
		ONLINE BACK-UPS	130.00	
		ONLINE BACK-UPS	130.00	
		G-SUITE ACCT	88.00	
		G-SUITE ACCT	88.00	
		OEM Computers - Tuneup and memory	471.00	2,012.00
2130	3124 - EXTRA TECH DATA SERVICES, LLC.	POOL- BROTHER PRINTER, CASES FOR TABS, K	398.00	398.00
2131	225 - FEDERAL EXPRESS	B: EXPRESS MAIL A/C #1344-0	88.00	88.00
2132	1880 - FIRE & SAFETY SERVICES, LTD., INC.	ENG #801 HANDLE REPAIR	379.87	379.87
2133	4323 - FIREWORKS EXTRAVAGANZA	FIREWORKS FOR AFTER CONCERT/ AUGUST	4,500.00	4,500.00
2134	172 - FRISBIE, ARTHUR & RITA	MEDICARE PART B REIMB	1,735.20	1,735.20
2135	373 - GALLS, LLC	MEDICAL SUPPLIES ACCT #4794479	208.99	
		MEDICAL SUPPLIES ACCT #4794479	103.90	
2136	448 - GARRIS, JEAN	MEDICARE PART B REIMB	867.60	867.60
2137	232 - HAMBURG PLUMBING SUPPLY CO	Valves/ WTP cust #14037	302.24	
2138	230 - HAYEK'S MARKET INC.	EMPLOYEE BBQ 7/30 FOOD	94.52	94.52
2139	1866 - HOME DEPOT, INC.	DPW/ WS Mat/ Spls/ Repairs to July25	4,634.99	
		DPW/ WS Mat/ Spls/ Repairs to July25	1,088.30	5,723.29
2140	4094 - HOPATCONG BOROUGH	3rd qtr 2019 ANIMAL AGREEMENT	5,514.42	5,514.42
2141	3235 - J. CALDWELL & ASSOCIATES, LLC.	REDEVELOPMENT COUNCIL BUSINESS -JUNE	1,300.00	1,300.00
2142	113 - JCP&L		18.58	
		FIRE #2 ELECTRIC -JULY	496.89	
2143	3772 - JK HVAC SERVICE, LLC.	TH/ Panel Rpr	1,763.22	1,763.22
2144	2417 - JP MORGAN CHASE BANK	PO 2016 GO BONDS \$4,979,000. P & I	246,523.75	246,523.75
2145	2569 - KIEFFER ELECTRIC, INC.	PO ELECTRICAL UPGRADE SUSSEX ST	4,859.00	
		PO ELECTRICAL UPGRADE SUSSEX ST	4,859.00	
		PO UPS BATTERY BACKUP SYSTEM ELECTRIC	34,498.00	44,216.00
2146	3711 - KKPR MARKETING & PUBLIC	PO B: MARKETING/PUBLIC RELATIONS	1,300.00	1,300.00
2147	2532 - LADDEY. CLARK & RYAN. LLP	PO B: PROSECUTOR McMeen	2,875.00	2,875.00
2148	266 - LAFAYETTE AUTO PARTS	PO 57479 Fittings/ Bushings cust #14037	7.08	
		PO HOSE/O-RING	31.64	38.72
2149	4227 - LAW OFFICE OF DANIEL P.	PO B: PUBLIC (13,500/12=\$1,125	1,333.33	1,333.33
2150	4335 - LIVE TO BE WELL LLC	PO Masks for	199.90	199.90
2151	2300 - LOWE'S , INC.	PO TRAFFIC PAINT	97.72	97.72
2152	1566 - MAIN POOL & CHEMICAL	PO B: LIQUID SODIUM	1,483.80	1,483.80
2153	1613 - MITCHELL HUMPHREY INC.	PO MAINT FEE - MH SOFTWARE SOLUTIONS	2,590.00	2,590.00
2154	116 - NEW JERSEY HERALD, INC.	PO ADVERTISING -JUNE	133.20	
		PO ADVERTISING -JUNE	234.00	
		PO ADVERTISING -JUNE	25.20	392.40
2155	255 - NEW JERSEY PLANNING	PO 2020 MLUL - publication	23.00	23.00
2156	170 - NEWTON BOARD OF	PO SCHOOL TAX (JULY-DEC)	1,110,506.50	1,110,506.50
2157	2667 - NJAPZA	PO NJAPZA MEMBERSHIP- 2020 - K.	100.00	100.00
2158	2835 - NJMEBF	PO MEDICAL/DENTAL -AUG	137,308.00	
		PO MEDICAL/DENTAL -AUG	27,960.00	165,268.00
2159	706 - NJMVC	PO 2020 REGISTRATION 2013 CAMRY - OEM	46.50	46.50
2160	4324 - O'REILLY'S PUB	PO JULY EDC MEETING	121.98	121.98
2161	64 - PELLOW, HAROLD & ASSO, INC.	PO 57528 ENGINEERING -JUNE	1,787.99	
		PO ENGINEERING -JUNE	3,145.49	
		PO ENGINEERING -JUNE	2,799.39	7,732.87
2162	2788 - PENTELEDATA	PO B: INTERNET	669.75	
		PO B: INTERNET	399.85	1,069.60
2163	4204 - PLANET NETWORKS INC.	PO WEB HOSTING -	15.00	
		PO FIBER INTERNET TH/POLICE	319.90	334.90
2164	1532 - PRIME TIME NEWTON SENIORS	PO 2020 CONTRIBUTION	3,200.00	3,200.00
2165	4126 - PROFESSIONAL CONSULTING	PO ENGINEERING -SPARTA AVE PUMP	22,841.50	
		PO B: 2020 SEWER ENGINEER not to	1,392.50	

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		PO FINAL CLARIFIERS	5,518.00	29,752.00
2166	4273 - QUADIANT INC.	PO 3RD QTR POSTAGE MACH RENTAL	529.41	529.41
2167	39 - QUILL CORPORATION	PO B: OFFICE SUPPLIES CUST #6182634	77.66	77.66
2168	2478 - RACHLES/MICHELE'S OIL	PO B: GAS (JAN-MAR)	1,643.66	1,643.66
2169	4203 - RAPID PUMP	PO PUMP REPAIR CUST #103800	6,160.00	
		PO Mechanical Repairs REPAIR CUST	3,048.03	
		PO Mechanical Repairs REPAIR CUST	5,890.00	
		PO Mechanical Repairs REPAIR CUST	638.67	15,736.70
2170	3731 - READY REFRESH BY NESTLE	PO B: WATER DELV	97.05	97.05
2171	643 - SHERWIN-WILLIAMS, INC.	PO 57478 TRAFFIC PAINT	1,743.00	1,743.00
2172	2665 - SIGN-A-RAMA, INC.	PO BALLFIELD Signage	168.0	168.00
2173	2402 - SKYLANDS AREA FIRE EQUIP &	PO PATCHES	167.9	167.94
2174	3993 - SLOAN, JAMES P.	PO B: 2020 JUDGE	3,451.17	3,451.17
2175	1489 - SMALLEY, JOHN H	PO B: 2020 SVC'S WTP	1,416.66	1,416.66
2176	4024 - SPECTRORETEL	PO B: LOCAL/LONG DISTANCE PHONE	625.6	625.62
2177	STAPLES	Office Supplies		1,399.99
2178	SUSSEX COUNTY P & H, INC.	PLUMBING SUPPLIES		63.57
2179	SWANK MOTION PICTURES	OUTDOOR MOVIE LICENSE		465.00
2180	SYNCHRONY BANK	PHONE CASE		23.98
2181	TAYLOR OIL CO. INC	DIESEL		978.21
2182	THE CANNING GROUP	QPA PURCHASING		625.00
2183	TIMMERMAN COMPANY INC.	SWEEPER BROOMS		1,745.76
2184	TIRE KING	TRUCK TIRES		3,997.00
2185	TREASURER, PETTY CASH FUND	REPLENISH 2020 PETTY CASH		161.82
2186	TRI-STATE RENTALS INC.	TENT RENTALS		350.00
2187	TRIMBOLI & PRUSINOWSKI	LABOR ATTORNEY		1,215.00
2188	UNITED TELEPHONE/CENTURYLINK			291.94
2189	USA HOIST CO.			235.00
2190	WB MASON INC.			1,478.42
2191	W. CAMPBELL SUPPLY OF SUSSEX CTY LLC			809.37
2192	WALMART			44.67
2193	WILDFLOWERS WITH TAMI			150.00
2194	ZITONE CONSTRUCTION			328.50
	TOTAL TOWN BILLS			2,767,597.54

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR
NON-BUDGETARY	CREDIT		

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

100130	INTERFUND RECEIVABLE - PAYROLL ACCT	20,642.06	
101262	DUE COUNTY - LIBRARY TAX	72,413.33	
101263	DUE COUNTY - PURPOSE TAX	971,833.67	
101265	DUE NEWTON BOE - SCHOOL TAX PAYABLE	1,110,506.50	
101266	DUE COUNTY - OPEN SPACE TAX	3,916.24	
101299	Due to Clearing	0.00	2,608,738.46
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	1,755.71	
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	298.16	
1052200	TOWN COUNCIL - OTHER EXPENSES	150.00	
1053200	HUMAN RESOURCES - OTHER EXPENSES	146.71	
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	451.32	
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	28.77	
1056200	COLLECTION OF TAXES - OTHER EXPENSES	36.13	
1058200	LEGAL SERVICES - OTHER EXPENSES	4,787.33	
1060200	ENGINEERING - OTHER EXPENSES	452.23	
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	6,738.03	
1062200	PLANNING BOARD - OTHER EXPENSES	1,482.44	
1063200	HISTORIC COMMISSION - OTHER EXPENSES	6.60	
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	178.95	
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	119,268.74	
1070200	FIRE DEPARTMENT - OTHER EXPENSES	1,281.94	
1074200	POLICE DEPARTMENT - OTHER EXPENSES	594.05	
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	77.66	
1074300A	(2019) COMMUNICATIONS CENTER - OTHER EXP	15.00	
1077500	CODE ENFORCEMENT - OTHER EXPENSES	1,590.00	
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	471.00	
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	4,376.45	

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1082200 STORMWATER/FLOOD CONTROL - OTHER EXPENSE 1,335.76
 1083300 VEHICLE MAINTENANCE - OTHER EXPENSES 5,865.65
 1085200 OCCUPATIONAL HEALTH - OTHER EXPENSES 144.00
 1089200 UTILITY EXP/BULK PURCH - OTHER EXPENSES 7,595.89
 1090200 SWIMMING POOL - OTHER EXPENSES 1,211.75
 1091200 PARKS & PLAYGROUNDS - OTHER EXPENSES 2,042.94
 1092200 CELEBRATION OF PUBLIC EVENTS - OE 4,500.00
 1093200 SENIOR CITIZEN PROGRAM - OTHER EXPENSE 3,200.00
 1094575 STATE OF EMERGENCY - CORONAVIRUS 2,709.53
 1094798 INTERLOCAL - GREEN TWP COURT 3,951.17
 1095200 CAPITAL IMPROVEMENTS - OTHER EXPENSES 1,300.00
 1095200A (2019) CAPITAL IMPROVEMENTS - OTHER EXPE 4,859.00
 1096200 DEBT SERVICE - OTHER EXPENSES 246,523.75

TOTALS FOR CURRENT FUND 424,552.66 4,874.00 2,179,311.80 2,608,738.46

111200 APPROPRIATED RESERVES FOR GRANTS 1,745.76
 111299 Due to Clearing 0.00 1,745.76

TOTALS FOR FEDERAL/STATE GRANTS 0.00 0.00 1,745.76 1,745.76

301299 Due to Clearing 0.00 3,446.69
 3091807 ORD 2018-7 VAR-2Veh/StSign/Rd-Chrch \$220,168.00
 3091817 ORD 2018-17 Prelim Plan/Redev \$50T fully 16.50
 3091913 ORD 2019-13 Rec Tr.Gt 2011 Funded 1,727.00
 3091914 ORD 2020 - 8 HALSTED & MADISON STS 1,479.09
 3091915 ORD 2020 - 9 CR 519 SIDEWALKS 56.10

TOTALS FOR CAPITAL 3,446.69 0.00 0.00 3,446.69

211200 RESERVE FOR ANIMAL CONTROL 5,514.42
 211299 DUE TO CLEARING 0.00 5,514.42

TOTALS FOR DOG RESERVE 0.00 0.00 5,514.42 5,514.42

601299 DUE TO CLEARING 0.00 74,845.27
 6051200 W&S OPERATING - TOTAL OTHER EXPENSES 63,298.02
 6051200A (2019) W&S OPERATING - TOTAL OTHER EXPE 4,859.00
 6089347 W&S CAP IMPROVE - EXCAVATOR 6,525.00
 6089349 W&S CAP IMPROVE - WATER TOWER/PROP. 163.25

TOTALS FOR WATER/SEWER UTILITY 69,986.27 4,859.00 0.00 74,845.27

611299 DUE TO CLEARING 0.00 62,882.70
 6191708 ORD 2017-8 SPARTA AVE PUMP STATION (SWR) 22,866.70
 6192006 ORD 2020-6 BATTERY BACKUP(UPS) M.LAKE W 34,498.00
 6192008 ORD 2020-11 WWTP - CLARIFIER, FUNDED 5,518.00

TOTALS FOR WATER/SEWER CAPITAL 62,882.70 0.00 0.00 62,882.70

711208 RES RECREATION (ALL) 5,800.00
 711220 RESERVE O/S EMPLOYMENT OFF-DUTY POLICE * 4,624.24
 711299 DUE TO CLEARING 0.00 10,424.24

TOTALS FOR TRUST 0.00 0.00 10,424.24 10,424.24

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ACCOUNT NON-BUDGETARY	DESCRIPTION CREDIT	CURRENT YR	APPROP. YEAR
Total to be paid from Fund 10 CURRENT FUND		2,608,738.46	
Total to be paid from Fund 11 FEDERAL/STATE GRANTS		1,745.76	
Total to be paid from Fund 21 DOG RESERVE		5,514.42	
Total to be paid from Fund 30 CAPITAL		3,446.69	
Total to be paid from Fund 60 WATER/SEWER UTILITY		74,845.27	
TOTAL			\$2,767,597.54

Checks Previously Disbursed

201063 ELAVON, INC.	AUG COURT MERCHANT FEE 56.83	8/06/2020	
42703 ELVIDGE TENTS, LLC.	PO# 57492 TENT FOR EVENTS 2,500.00	8/06/2020	
207126 PAYROLL ACCOUNT	8/6 TRUST PAY 6,960.00	8/05/2020	
206046 PAYROLL ACCOUNT	8/6 W/S PAY 39,331.19	8/05/2020	
201122 PAYROLL ACCOUNT	8/6 GRANT PAY 564.99	8/05/2020	
201062 PAYROLL ACCOUNT	8/6 CURRENT PAY 179,856.41	8/05/2020	
42702 NAME BADGES, INC.	PO# 57511 16 Name badges 174.88	8/05/2020	
42701 NAME BADGES, INC.	PO# 57511 16 Name badges 154.90	8/05/2020	
42701 NAME BADGES, INC.	-154.90	8/05/2020 *VOID*	
208164 PUBLIC EMPLOYEE RETIRE SYSTEM PERS -JULY	15,000.00	8/05/2020	
208165 POLICE &FIRE RETIREMENT SYSTEM PFRS -JULY	18,000.00	8/05/2020	
201061 FEDERAL & STATE GRANT S N/J 2 QTR SAFE & SECURE MOVE TO			6,949.12
201060 FEDERAL & STATE GRANT S N/J 1 QTR SAFE & SECURE MOVE TO			992.73
201058 CAPITAL ACCOUNT Plainfield Ave DOT grant to capita			9,425.70
279,966.75			
-154.90 *VOIDED			
			279,811.85

Totals by fund	Previous Checks/Voids	Current Payments	Total
Totals by fund Previous Checks/Voids Current Payments Total			
Fund 10 CURRENT FUND	199,955.67	2,608,738.46	2,808,694.13
Fund 11 FEDERAL/STATE GRANTS	564.99	1,745.76	2,310.75
Fund 21 DOG RESERVE		5,514.42	5,514.42
Fund 30 CAPITAL		3,446.69	3,446.69
Fund 60 WATER/SEWER UTILITY	39,331.19	74,845.27	114,176.46
Fund 61 WATER/SEWER CAPITAL		62,882.70	62,882.70
Fund 71 TRUST	6,960.00	10,424.24	17,384.24
Fund 81 PAYROLL		33,000.00	33,000.00
BILLS LIST TOTALS	279,811.85	2,767,597.54	3,047,409.39

A motion was made by Mr. Schlaffer to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mrs. Le Frois and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
Mayor Diglio		Yes	

Deputy Mayor Flynn questioned this project addressing concern with the cost of said project.

August 10, 2020
(VIA ZOOM)

Mr. Russo read the outline submitted by Suburban Engineer's proposal: "drainage assessment concluded the field and contributing Town infrastructure cannot effectively drain in its current condition due to a blocked outfall pipe system which previously drained to a channel of Moore's Brook. This channel conveyance, which is in the Flood Hazard Area, is now filled in by natural soil deposits and surrounded by a large environmentally sensitive wetland feature. The following scope of services includes survey and engineering of proposed drainage improvements, securing all identified New Jersey Department of Environmental Protection (NJDEP) and Soil Conservation Districts (SCD) permitting applications and preparation of construction documents necessary for the Town's bidding purposes". He further noted the scope of services include: Survey, Mapping and Drainage Analysis; Environmental Permitting; Construction Plans, Specifications, Cost Estimates & SCD Permits; Project Qualification & Document Submission for I-Bank Funding; and Allowance for NJDEP Technical Review Comments. Mr. Russo noted if we delay said project, it will be necessary to close the field immediately.

After a lengthy discussion, Council agreed to move forward with the proposed project.

A motion was made by Mrs. Le Frois to approve the **RESOLUTION #192-2020**, seconded by Mr. Schlaffer and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
Mayor Diglio		Yes	

RESOLUTION #192-2020

AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR SUBURBAN CONSULTING ENGINEERS, INC., FOR THE DRAINAGE IMPROVEMENTS & ENVIRONMENTAL PERMITTING FOR THE MEMORY PARK – BABE RUTH LEAGUE BASEBALL FIELD PROJECT – ENGINEERING SERVICES

WHEREAS, the Town of Newton requires the services of a professional engineer for the Drainage Improvements & Environmental Permitting for the Memory Park – Babe Ruth League Baseball Field Project through a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, under the Local Publics Contract Law N.J.S.A.40A:11-5, professional services are exempt from public bidding; and

WHEREAS, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services in the aggregate will exceed \$17,500; and

August 10, 2020
(VIA ZOOM)

WHEREAS, the anticipated term of this contract is until completion of project; and

WHEREAS, Suburban Consulting Engineers, Inc., has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Suburban Consulting Engineers, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit Suburban Consulting Engineers, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies funds NOT TO EXCEED \$89,550.00 will be encumbered as follows:

Ordinance 2020-10 Memory Park Account # 30919782

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Newton Town Manager to enter into a contract for the Drainage Improvements & Environmental Permitting for the Memory Park – Babe Ruth League Baseball Field Project – Engineering Services with Suburban Consulting Engineers, Inc., not to exceed \$89,550.00 for the project term; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

DISCUSSION

There was no discussion at this time.

OPEN TO THE PUBLIC

Mayor Diglio opened the meeting to the public.

Ludmilla Mecaj, 9 Madison Street, Newton, questioned when the field project was last addressed and asked how long the project will take. She also addressed questions on the proposed Ordinance #2020-19.

Peg Baldini, 10 Barry Lane, Newton, questioned why the Babe Ruth baseball field, previously discussed being renovated, is not closed now, if it is “dangerous” was suggested.

Maureen Snellen, Plainfield Avenue, thanked the Town for the recent concert and fireworks held at Memory Park. She also addressed concern regarding the proposed Ordinance on “Parking and Driveway Standards”.

Felicia Carlson, Elm Street, thanked the Town for the renovations of the Newton pool.

James Baldini, questioned the property maintenance code Ordinance and asked if an anti-harassment section could be implemented.

There being no one else from the public to be heard, Mayor Diglio closed the meeting to the public.

COUNCIL & MANAGER COMMENTS

Mr. Russo addressed the questions of the public. He noted he addressed the field utilization. He noted he would have the attorney attend during the adoption of the proposed Ordinances. He does not feel an anti-harassment section will be necessary.

Mayor Diglio noted it is not necessary to officially close the Babe Ruth field due to it not being used because of COVID19.

Deputy Mayor Flynn made the announcement that he will not be running for Town Council in the upcoming election this year. Due to his work commitments and family commitments he has decided not to re-run for his third term on Council. He is giving his full support to Helen Le Frois and Michelle Teets who will be running for Town Council.

Councilwoman Le Frois thanked Deputy Mayor Flynn for his 8 years on the Town Council and will sorely be missed. She thanked the Town Manager, staff, and members of the Planning Board for all their hard work on the various redevelopment projects being worked on. She commended the DPW for their continued hard work on the fields, on all the Town sponsored events and their various projects they continue to work on daily. The various projects are always a joint effort and do not go unnoticed. She welcomed Alan Abramson to the Advisory Recreation Commission. And finally thanked Deputy Mayor Flynn for his support. She thanked all who continue to attend our Council meeting via Zoom.

Councilman Dickson thanked Deputy Mayor Flynn for his dedication to the Town Council. I looked to you as a mentor and valued your opinion. All the best on your endeavors.

Councilman Schlaffer wished Deputy Mayor Flynn all the very best. He noted the life guard position notice has been sent to Kittatinny and Newton Swim Teams.

Mr. Russo thanked Deputy Mayor Flynn for his years and dedication of service on the Town Council.

Mr. Russo wished the students returning back to school, Elementary, Middle, High School, and College all the very best.

EXECUTIVE SESSION –

August 10, 2020
(VIA ZOOM)

Upon motion of Mr. Dickson, seconded by Mr. Schlaffer and unanimously carried, Council entered Executive Session at 8:36 pm.

Upon motion of Deputy Mayor Flynn seconded by Mr. Dickson and unanimously carried, Council left Executive Session at 9:08 pm.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Mr. Schlaffer and unanimously carried, the regular meeting was adjourned at 9:08 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Lorraine A. Read". The signature is written in a cursive style with a large, stylized initial 'L'.

Lorraine A. Read, RMC
Municipal Clerk